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U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

April 16, 2007

MEMO ENDORSED

BY HAND

The Honorable Kenneth M. Karas
United States District Court
Southern District of New York
500 Pearl Street, Room 920
New York, New York 10007

Re: United States v. Iris Baez and Nickhoulas Vitale,
07 Cr. 280 (KMK)

Dear Judge Karas:

Last Wednesday, the above-referenced case was wheeled out to Your Honor. In consultation with Chambers and defense counsel, an initial pre-trial conference has been scheduled for Wednesday, April 25, 2007, at 4:45 p.m.

The Government respectfully requests that time be excluded in the above-referenced matter for purposes of the Speedy Trial Act from today until April 25, 2007, the date of the initial pretrial conference. The Government makes this request, with the consent of counsel for the defendants, to permit the Government time to begin gathering and producing discovery, to permit defense counsel time to review the Indictment and discovery with their clients, and to permit the Government and the defense time to consider the possibility of a disposition before trial. The ends of justice served by such a continuance outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A). Last Thursday, I spoke with Vincent Romano, Esq., counsel for Nickhoulas Vitale, and last Friday, I spoke with an associate of Howard R. Birnbach, Esq., counsel for Iris Baez, both of whom consented to this request.

*Time is excluded in the interests of justice. Respectfully submitted,
as explained in this letter from April 16, 2007
until April 25, 2007. See 18 USC § 3161(h)(8)(A)*

MICHAEL J. GARCIA
United States Attorney

By: Alexander J. Willscher
Alexander J. Willscher
Christine Y. Wong
Assistant United States Attorneys
P: (212) 637-2736/2460
F: (212) 637-0016

cc: Howard R. Birnbach, Esq. (counsel for Iris Baez - by fax)
Vincent Romano, Esq. (counsel for Nickhoulas Vitale - by fax)